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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/590,183

08/18/2006

Lars Ingvarsson

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05/21/2008

Mark P Stone
25 Third Street
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EXAMINER

CRANE, DANIEL C

ART UNIT

PAPER NUMBER

3725

MAIL DATE

DELIVERY MODE

05/21/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/590,183	Applicant(s) INGVARSSON, LARS	
	Examiner DANIEL C. CRANE	Art Unit 3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 9-12 and 19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/18/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

BASIS FOR REJECTIONS

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

REJECTION OF CLAIMS ON FORMAL MATTERS

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8 and 13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (1) The method claims are couched in a narrative format which does not lend itself to a clear understanding of the essential steps involved in accomplishing the process of forming the profiles. Positively reciting the essential method steps would overcome the vagueness of the method and would clarify what constitutes the steps of the profile forming process. (2) With reference to claim 1, failure to provide antecedence for "side edges" and "corners" renders the subject matter indefinite. Reference is also made to "they" in line 10 of claim 1; however, it is confusing as to what "they" refers to. With respect to claim 2, failure to provide antecedence for "trailing end" renders the subject matter indefinite. Since no trailing end has been enumerated, it appears that this feature is inferred. As to claim 3, "two ends" is specified for the "lengths", however, it is unclear how these "lengths" and "ends" are established. Claim 3 is vague in its description of the provisions needed to produce these "lengths" and "ends". With respect to claim 4, it is unclear what constitutes "sections" of the

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profile sheet. Also, as to claim 4, the phrase "to become thinner" is unclear and is not understood as to whether this is an operation of produce a thinner area of the sheet or this is a result of the sheet characteristic. Thus, the phrase "to become thinner" in claim 4 is vague. (The phrase "to become thinner" in claims 7 and 14 is similarly awkward.) As to claims 8 and 15, failure to provide antecedence for "roller pairs" renders the subject matter indefinite. (3) As to claim 1, reference is made to "one corner" and a "corner that lies more closely to the edge of the strip". This is unclear because the corners have not been clearly established in the operation. Accordingly, the reference to these "corners" appears to be inferred in the operation and reliance further appears to be dependent upon the illustrated formations in the specification and drawings. Applicant is required to amend the claims to clearly establish the "corners" in the method so that an understanding of the method can be made.

REJECTION OF CLAIMS OVER PRIOR ART

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Trishevsky (4,558,577). Trishevsky illustrates in the Figures where profiles a, a', a'', b (Figure 2) are made from plane sheet with a cross section that varies along its length and is unwound from a coil 2, fed through an edge slit 4 (see column 5, lines 4-7) and roll formed using roll forming units (see Figures 3-7) that can be displaced individually sideways relative to the sheet. Length cutter 60 is used to sever the profiled sheet into individual lengths. Throughout the roll forming operation, as shown in Figure 3-7, corners are produced on the profiled sheet. Since the process for the forming of the sheet into a profile with corners is produced on a continuous basis where lengths can be severed by cutter 60, it only follows that the forming of "one corner" with a

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number of roll forming units is begun only after the forming of "a corner" the lies more closely to the edge of the strip, particularly in light of the fact that cutting can also be performed at station 5.

INDICATION OF ALLOWABLE SUBJECT MATTER

Claims 2-8 and 13-18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

WITHDRAWAL OF NON-ELECTED CLAIMS

Claims 9-12 and 19 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 31, 2008. The Examiner acknowledges applicant's comments relating to the incorrect identification of the claim groupings in the Office Action, mailed March 25, 2008. As applicant has correctly pointed out, the elected Group I claims should include claims 1-8 and 13-18, rather than claims 1-8 and 14-18 as set out in the noted Office Action. Accordingly, claim 13 has been included within the elected group.

PRIOR ART CITED BY EXAMINER

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

RESPONSE BY APPLICANT(S)

Applicant(s) response to be fully responsive and to provide for a clear record must specifically point out how the language of the claims patentably distinguishes them from the references, both those references applied in the objections and rejections and those references cited in view of the state of the art in accordance with 37 CFR 1.111 (a), (b) and (c).

INQUIRIES

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner D. Crane whose telephone number is **(571) 272-4516**. The examiner's office hours are 7:00AM-3:30PM, Monday through Friday.

Documents related to the instant application may be submitted by facsimile transmission at all times to Fax number **(571) 273-8300**. Applicant(s) is(are) reminded to clearly mark any transmission as "DRAFT" if it is not to be considered as an official response. The Examiner's Fax number is **(571) 273-4516**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DCCrane
May 19, 2008

/Daniel C Crane/
Daniel C. Crane
Primary Patent Examiner
Group Art Unit 3725